Calendar No. 343

101ST CONGRESS *1st Session*	SENATE	REPORT 101-183

CERTIFICATE OF DOCUMENTATION FOR THE VESSEL "LAZY JACK"

Mr. HOLLINGS, from the Committee on Commerce, Science, and Transportation, submitted the following

REPORT

OF THE

SENATE COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

ON

S. 1576

NOVEMBER 2 (legislative day, SEPTEMBER 18), 1989.—Ordered to be printed

U.S. GOVERNMENT PRINTING OFFICE
39-010 WASHINGTON : 1989

S263-36

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

ERNEST F. HOLLINGS, South Carolina, *Chairman*

DANIEL K. INOUYE, Hawaii	JOHN C. DANFORTH, Missouri
WENDELL H. FORD, Kentucky	BOB PACKWOOD, Oregon
J. JAMES EXON, Nebraska	LARRY PRESSLER, South Dakota
ALBERT GORE, JR., Tennessee	TED STEVENS, Alaska
JOHN D. ROCKEFELLER IV, West Virginia	ROBERT W. KASTEN, JR., Wisconsin
LLOYD BENTSEN, Texas	JOHN McCAIN, Arizona
JOHN F. KERRY, Massachusetts	CONRAD BURNS, Montana
JOHN B. BREAUX, Louisiana	SLADE GORTON, Washington
RICHARD H. BRYAN, Nevada	TRENT LOTT, Mississippi
CHARLES S. ROBB, Virginia	

RALPH B. EVERETT, *Chief Counsel and Staff Director*
WALTER B. MCCORMICK, JR., *Minority Chief Counsel and Staff Director*

Calendar No. 343

101ST CONGRESS
1st Session

SENATE

REPORT
101-183

CERTIFICATE OF DOCUMENTATION FOR THE VESSEL "LAZY JACK"

NOVEMBER 2 (legislative day, SEPTEMBER 18), 1989.—Ordered to be printed

Mr. HOLLINGS, from the Committee on Commerce, Science, and Transportation, submitted the following

REPORT

[To accompany S. 1576]

The Committee on Commerce, Science, and Transportation, to which was referred the bill (S. 1576) to authorize a certificate of documentation for the vessel *Lazy Jack*, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE LEGISLATION

S. 1576, as reported, grants coastwise trading and fisheries privileges to the vessel *Lazy Jack*.

BACKGROUND AND NEEDS

Subject to certain limited exceptions, the provisions of law known as the Jones Act (section 27 of the Merchant Marine Act, 1920) and sections 12106-12108 of the title 46, U.S. Code, provide that only those vessels built in the United States, continuously documented under the laws of the United States, and continuously owned by U.S. citizens may transport merchandise or passengers in the coastwise trade, or engage in the domestic fisheries of the United States.

Where the facts applicable to a particular vessel suggest that the U.S.-built, U.S.-documented, or U.S.-owned requirements have not been satisfied, the Coast Guard may not issue a document permitting coastwise trading or fisheries privileges for that vessel unless the requirements of the law are statutorily waived.

The vessel *Lazy Jack*, Maine Registration number ME9395G, is a 36-foot wooden schooner. It was built in Massachusetts in 1947, but was owned for a period of years by a Bahamian citizen and then resold to U.S. citizens. In 1986, the *Lazy Jack* was donated to the Landing School of Boatbuilding and Design in Kennebunkport, ME. The donation to the school was premised explicitly on the school using the boat for occasional charters after the school undertook the restoration and renovation of the vessel. The donation took place without the school becoming aware of the prior Bahamian ownership.

During the extensive work on the vessel, the original hull number was discovered and the Coast Guard denied coastwise trading privileges for the vessel. The owners have invested several thousands of dollars in the restoration and to make possible a summer chartering business. Absent a statutory waiver, none of these plans is possible, and the investment that has been made in this vessel will be lost.

Legislative History

S. 1576 was introduced in the Senate on August 4, 1989, by Senators Mitchell and Cohen. In open executive session on October 5, 1989, the Committee considered S. 1576, and ordered the legislation reported favorably without objection and without amendment.

Estimated Costs

In accordance with paragraph 11(a) of rule XXVI of the Standing Rules of the Senate and section 403 of the Congressional Budget Act of 1974, the Committee provides the following cost estimate, prepared by the Congressional Budget Office:

U.S. Congress,
Congressional Budget Office,
Washington, DC, October 23, 1989.

Hon. Ernest F. Hollings,
Chairman, Committee on Commerce, Science, and Transportation, U.S. Senate, Washington, DC.

Dear Mr. Chairman: The Congressional Budget Office has reviewed S. 1576, a bill to authorize a certificate of documentation for the vessel *Lazy Jack*, as ordered reported by the Senate Committee on Commerce, Science, and Transportation on October 5, 1989. Enactment of S. 1576 would result in no cost to the federal government or to state or local governments.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Deborah Reis.

Sincerely,

Robert D. Reischauer,
Director.

Regulatory Impact Statement

In accordance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee provides the following evaluation of the regulatory impact of the legislation, as reported.

Because S. 1576 does not create any new programs, the legislation will have no additional regulatory impact, and will result in no additional reporting requirements. The legislation will have no further effect on the number or types of individuals and businesses regulated, the economic impact of such regulation, the personal privacy of affected individuals, or the paperwork required from such individuals and businesses.

Section-by-Section Analysis

S. 1576 consists of one section. It provides that, notwithstanding sections 12105, 12106, 12107, and 12108 of title 46, U.S. Code, and section 27 of the Merchant Marine Act, 1920 (46 App. U.S.C. 883), as applicable on the date of enactment of the bill, the vessel *Lazy Jack*, Maine registration number ME9395G, is eligible to engage in the coastwise trade and fisheries of the United States, and the Secretary of Transportation may issue a certificate of documentation for such vessel.

Changes in Existing Law

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, the Committee states that the bill as reported would make no change to existing law.

○